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3 RICHARD W. WIEKING  
4 CLERK U.S. DISTRICT COURT  
5 NORTHERN DISTRICT OF CALIFORNIA

6 RICHARD W. WIEKING  
7 CLERK, U.S. DISTRICT COURT  
8 NORTHERN DISTRICT OF CALIFORNIA

9 E-filing

10  
11 IN THE UNITED STATES DISTRICT COURT FOR THE  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN JOSE DIVISION

14 UNITED STATES OF AMERICA and  
15 CRAIG HARBIGE, Revenue Officer,

16 Petitioners,

17 v.

18 PAUL J. SHOLTZ,

19 Respondent.

20 C 07 4234  
21 NO.  
22 ) ORDER TO SHOW CAUSE RE  
23 ) ENFORCEMENT OF INTERNAL  
24 ) REVENUE SERVICE SUMMONSES

25 Good cause having been shown by the petitioner upon its petition filed in the above-  
26 entitled proceeding on August 17, 2007, it is hereby:

27 **ORDERED** that respondent Paul J. Sholtz appear before this Court on the 16th day  
28 of October, 2007, at 10 a.m., in Courtroom No. 2, 5th Floor, United States District  
Court, 280 South First Street, San Jose, California, and then and there show cause, if any, why  
respondent should not be compelled to appear and provide documents and testimony as required  
by the summonses heretofore served upon respondent as alleged and set forth in particular in  
said petition; and it is further

29 **ORDERED** that a copy of this Order to Show Cause, together with a copy of the  
30 aforesaid petition, be served upon said respondent in accordance with Rule 4 of the Federal  
31 Rules of Civil Procedure at least thirty-five (35) days before the return date of this Order above  
32 specified; and it is further

1           **ORDERED** that within twenty-one (21) days before the return date of this Order,  
2 respondent may file and serve a written response to the petition, supported by appropriate  
3 affidavit(s) or declaration(s) in conformance with 28 U.S.C. § 1746, as well as any motion  
4 respondent desires to make, that the petitioner may file and serve a written reply to such  
5 response, if any, within fourteen (14) days before the return date of this Order; that all motions  
6 and issues raised by the pleadings will be considered on the return date of this Order, and only  
7 those issues raised by motion or brought into controversy by the responsive pleadings and  
8 supported by affidavit(s) or declaration(s) will be considered at the return of this Order, and any  
9 uncontested allegation in the petition will be considered admitted.

10           **ORDERED** this 27th day of \_\_\_\_\_ August \_\_\_\_\_, 2007, at San Jose, California.

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16           UNITED STATES DISTRICT JUDGE  
17           MAGISTRATE  
18           HOWARD R. LLOYD  
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